

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE:

W.R. GRACE & CO., *et al.*,

Debtors.

Chapter 11

Case No. 01-01139 (JKF)
Jointly Administered

Re 16259

modified **ORDER ESTABLISHING THE NON-WAIVER OF PRIVILEGES CONTAINED
IN ANSWERS TO THE DEBTORS' INTERROGATORIES AND THE SEALING
AND CONFIDENTIALITY OF SUCH ANSWERS**

Before this Court are the following requests for protective orders:

Memorandum in Support of Motley Rice LLC's Motion for Protective Order (Docket No. 15950), Motion of the Official Committee of Asbestos Personal Injury Claimants and David T. Austern, Legal Representative for Future Asbestos Claimants for Protective Order (Docket No. 15955), Motion of Certain Law Firms to Quash Deposition Notices and for a Protective Order (Docket No. 15966), Motion of the MMWR Cancer Firms for a Protective Order with Respect to Notices of Deposition Served on Them by W.R. Grace (Docket No. 15987), and Memorandum in Support of Cooney and Conway's Motion for Protective Order (Docket No. 15850).

Having reviewed these requests, together with the responses thereto and after having considered the arguments of counsel,

It is hereby ORDERED and DECREED as follows:

1. Any and all answers to the Debtors' Third Set of Interrogatories shall not represent any waiver of, and shall not be claimed to be a waiver of, any privilege.

2. The Debtors and all participants in this discovery shall maintain the answers in the manner required pursuant to 11 U.S.C. § 107(b) for papers filed under seal with the Court and such answers when served shall be considered under seal in accordance with such statute. Any and all information provided to the Debtors in response to the Third Set of Interrogatories must be maintained in the strictest confidence and not disclosed to any entity or individual

not expressly authorized under this Order. *If Debtor or another party in interest finds it necessary to refer to any specific* (X)

3. Any and all information provided to the Debtors in response to the Third Set of Interrogatories may only be used by them or disclosed to the Debtors, their counsel, ^{agents} and their experts. Such information may be used only in respect to the estimation proceedings in these chapter 11 cases and may not be used for any other purpose.

July 10, 2007

JK Fitzgerald

Honorable Judith K. Fitzgerald
United States Bankruptcy Judge

(X) information, said party shall first apply to the court for appropriate instructions, w/o notice and hearing if there is opposition to redacted information being used.